

## REMARKS

### Claim Rejections - 35 U.S.C. § 112

Claims 1-5, 9-12, 14-18, 20, and 22-25 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Independent claims 1, 9, 14, 17, 20 and 22 have been amended to further clarify the claims. Claim 2 has been canceled. Therefore, the rejection of this claim is moot.

Figure 2 and the Specification support and explain the remaining claims as amended. Specifically, Figure 2 shows a television receiver 108 that is not configured to decode enhancement data for presentation. The Specification (page 4, line 12 – page 5, line 15) discloses converting the enhancement data and providing the converted enhancement data to a client (e.g., home PC 104 and/or wireless device 106). Thus, Applicant submits claims 1, 9, 14, 17, 20 and 22 satisfy the written description requirement. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits claims 2-4, 10-12, 15-16, 18, and 23-25 also satisfy the written description requirement for at least the reasons set forth above.

### Claim Rejections - 35 U.S.C. § 102

Claims 6-8, 13, 19, and 21 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2002/0138852 attributed to Reynolds et al. (*Reynolds*). Claims 8, 13 and 21 have been canceled. Therefore, the rejection of these claims is moot. Applicant submits claims 6-7 and 19 are not anticipated by *Reynolds* for at least the reasons set forth below.

Claim 6 recites, in part, the following:

converting the enhancement data into a second format compatible with a second transport different from a first delivery mechanism, wherein the second transport is the data network;

providing said converted enhancement data to a client in accordance with the second transport; and

**inspecting a client profile associated with the client;** and

determining the second format based at least in part on said inspecting.

Claim 19 recites similar limitations.

The Office action cites *Reynolds* as teaching the limitations of claim 6. *Reynolds* discusses a framework for delivering a package of related content. See Abstract. But *Reynolds* does not teach or disclose inspecting a client profile associate with the client, as recited in claim 6. Thus, *Reynolds* fails to teach at least one limitation of claim. Therefore, Applicant submits claims 6 and 19 are not anticipated by *Reynolds*.

Claim 7 depends from claim 6. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant respectfully submits claim 7 is not anticipated by *Reynolds* for at least the reasons set forth above.

#### Conclusion

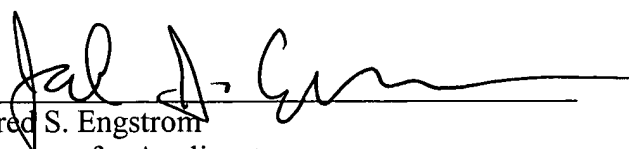
In view of the amendments and remarks set forth above, Applicant submits claims 1, 3-7, 9-12, 14-20 and 22-25 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please note that through inadvertent error the appropriate claim amendment fees were not paid in applicant's response to the February 10, 2005, Office Action. Thus, a check in the amount of \$1000.00 to cover these fees, along with the two month extension of time fee due for this matter is enclosed herewith. If necessary, please charge any shortages and/or credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: \_\_\_\_\_

5/1/06

  
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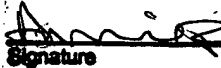
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